

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LEON MILLER,

Plaintiff,

v.

UNITED AIRLINES, INC., et al.,
Defendants.

AND COORDINATED CASES:

Palmer, Xavier v. United Airlines, Inc. et al.
3:15-cv-00458 VC

Noble, Paul C. v. United Airlines, Inc. et al.
3:15-cv-00461 VC

Jones Jr., Johnnie E. v. United Airlines, Inc.
et al. 3:15-cv-00462 VC

Roane, Glen v. United Airlines, Inc. et al.
3:15-cv-00464 VC

Ricketts, David v. United Airlines, Inc. et al.
3:15-cv-00465 VC

Tom, Lester v. United Airlines, Inc. et al.
3:15-cv-00466 VC

Crocker, Sal v. United Airlines, Inc. et al.
3:15-cv-00468 VC

Manswell, Anthony v. United Airlines, Inc.
et al. 3:15-cv-00469 VC

Minter, Karl v. United Airlines, Inc. et al.
3:15-cv-00470 VC

Case No. 15-cv-00457-VC

**TENTATIVE RULING RE MOTIONS
TO DISMISS OR TRANSFER AND
MOTIONS TO TRANSFER**

Wilson, Darryl v. United Airlines, Inc. et al.
3:15-cv-00472 VC

Sherman, Leo v. United Airlines, Inc. et al.
3:15-cv-00473 VC

Haney, Ken v. United Airlines, Inc. et al.
3:15-cv-00474 VC

John, Richard v. United Airlines, Inc. et al.
3:15-cv-00475 VC

Briscoe, Odie v. United Airlines, Inc. et al.
3:15-cv-00476 VC

In anticipation of tomorrow's hearing, the Court is tentatively inclined to deny the motions to transfer the following cases, both because the litigation would not be particularly more convenient in the districts where the defendants propose to transfer the cases, *see Hicks v. PGA Tour, Inc.*, No. 15-cv-00489-VC, 2015 WL 5300399, at *1 (N.D. Cal. July 24, 2015), and because the degree to which these cases have already been delayed weigh against a transfer for convenience: *Miller v. United Airlines, Inc. et al.*; No. 15-cv-00457-VC, *Crocker v. United Airlines, Inc. et al.*, No. 15-cv-00468-VC; *Palmer v. United Airlines, Inc. et al.*, No. 15-cv-00458 VC; *Jones v. United Airlines, Inc. et al.*, No. 15-cv-00462-VC; *Wilson v. United Airlines, Inc. et al.*, No. 15-cv-00472-VC; and *Sherman v. United Airlines, Inc. et al.*, No. 15-cv-00473-VC.

The Court is tentatively inclined to grant the motions to transfer in the following cases, because they did not satisfy Title VII's venue statute, 42 U.S.C. § 2000e-5(f)(3), when they were brought: *Manswell v. United Airlines, Inc. et al.*, No. 15-cv-00469-VC; *Minter v. United Airlines, Inc. et al.*, No. 15-cv-00470-VC; *Roane v. United Airlines, Inc. et al.*, No. 15-cv-00464-VC; *Tom v. United Airlines, Inc. et al.*, No. 15-cv-00466-VC; *Briscoe v. United Airlines, Inc. et al.*, No. 15-cv-00476-VC; *Haney v. United Airlines, Inc. et al.*, No. 15-cv-00474-VC; *Noble v. United Airlines, Inc. et al.*, No. 15-cv-00461-VC; and *Ricketts v. United Airlines, Inc. et al.*, No. 15-cv-00465-VC.

With *Noble* and *Ricketts*, questions remain about the district to which the cases should be transferred.

Finally, the Court is undecided about whether to grant the motion to transfer *John v. United Airlines, Inc. et al.*, No. 15-cv-00475-VC. The Court is not inclined to transfer the case on convenience grounds for the reasons stated above. It appears that John's lawsuit did not satisfy Title VII's venue provision when it was brought, but the defendants have not moved to transfer this case on the ground that venue is improper (as opposed to merely inconvenient).

Dated: July 6, 2016



VINCE CHHABRIA
United States District Judge